

**INTERVIEW SUMMARY AND REMARKS**

In the Office Action, the Examiner allowed claims 1-11 and rejected claims 12-31. On March 16, 2004, an Examiner Interview was conducted to discuss possible amendments to clarify the independent claims 12, 22, and 29, such that all claims would be in condition for allowance. During this Examiner Interview, the Examiner and Applicants' representative, Tait Swanson, agreed that the cited references do not disclose the features recited in the above-amended claims 12, 22, and 29. For these reasons, the Applicants respectfully request that the Examiner enter these amendments, withdraw the outstanding rejections, and allow all pending claims 1-31.

**Rejections Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claim 12 under 35 U.S.C. §102(b) as anticipated by Seto et al. (U.S. Patent No. 6,175,488). In addition, the Examiner rejected claims 22-23 and 28-29 under 35 U.S.C. §102(e) as anticipated by the Rubenson et al. (U.S. Patent No. 6,510,048 B2). Applicants respectfully traverse these rejections.

***Legal Precedent***

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). Thus, Applicants need only point to a single element missing from the cited references.

***Independent Claims 12, 22, and 29***

Turning to the claims, amended independent claim 12 recites, *inter alia*, “at least one coupling mechanism cooperative with the force-actuated coupling mechanism to mount the component cover detachably to the device housing, *such that the component cover can be removed and separated from the device housing.*” Amended independent claim 22 recites, *inter alia*, “providing a detachable quick-release cover for the portable computer housing to cover the opening, *such that the detachable quick-release cover can be released and freed from the portable computer housing.*” Amended independent claim 29 recites, *inter alia*, “means for detachably coupling a cover to the portable computer housing to cover the opening, *such that the cover can be released and disconnected from the portable computer housing.*”

***Deficiencies of Cited References***

As discussed in the Examiner Interview, the cited references do not teach or suggest these features of independent claims 12, 22, and 29. Regarding Seto et al., the front cover 21 always remained *bound* to the housing 4 via the coupling members 65a and 65b. *See* Seto et al., Fig. 2; Col. 8, lines 35-37; Col. 9, lines 16-19, 34-44, and line 65 – Col. 10, line 4. Specifically, Seto et al. disclose “the front cover 21 is *not completely separated* from the housing 4 since it is coupled to the housing body 20 by means of the coupling members 65a and 65b” in the upwardly rotated position of the front cover 21. Seto et al., Col. 9, line 65 – Col. 10, line 4 (emphasis added). Similarly, Rubenson et al. fails to teach or suggest the features recited by independent claims 12, 22, and 29. For example, the Rubenson et al. reference teaches a keyboard rather than a cover as recited in the instant claims. *See*

Rubenson et al., Fig. 2. Thus, the cited references do not teach or suggest each and every feature recited in the instant claims.

In view of these deficiencies and based on the previous Examiner Interview, the Applicants respectfully request that the Examiner withdraw the rejections of claims 12, 22, 23, 28, and 29 under 35 U.S.C. §102.

### **Rejections Under 35 U.S.C. § 103**

Under 35 U.S.C. § 103(a), the Examiner rejected claims 13-15, 19, 22-25 and 28-30 as unpatentable over the embodiment illustrated in Figs. 1-7 of Seto et al. in view of the embodiment illustrated in Figs. 8-10 of Seto et al.; the Examiner rejected claims 16-18, 20, 21, 26, and 27 as unpatentable over both embodiments of the Seto reference. Applicants respectfully transverse these rejections.

### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). If the Examiner modifies the teachings of the prior art to produce the claimed invention, a *prima facie* case of obviousness cannot be established absent some teaching or suggestion supporting the modification. *See ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the modification includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found

the claimed invention to have been obvious in light of the teachings of the reference. *See Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

In addition, it is improper to combine references where the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983); M.P.E.P. § 2145. Moreover, if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (CCPA 1959); see M.P.E.P. § 2143.01.

#### ***Deficiencies of Seto et al.***

As discussed in detail above, the Seto et al. reference fails to teach certain features recited in each of the independent claims 12, 22, and 29. Specifically, the front cover 21 of Seto et al. is continuously bound to (never free or disconnected from) the housing 4. *See Seto et al.*, Fig. 2; Col. 8, lines 35-37; Col. 9, lines 16-19, 34-44, and line 65 – Col. 10, line 4. In both the hinged open and the hinged closed positions of the front cover 21, the coupling members 65a and 65b always connect the front cover 21 to the housing 4. *See Seto et al.*, Figs. 1 and 2.

#### ***No Reason to Modify Seto et al.***

Regarding the requisite reason to modify Seto et al., the Applicants stress that there is simply no reason to modify the front cover 21 of Seto et al., such that it could be freed or disconnected from the housing 4. In fact, Seto et al. discloses that the coupling members 65a and 65b *maintain* the connection between the front cover 21 and the housing 4, such that “it is

possible to prevent the front cover 21 from being lost when the opening portion 35 is uncovered." Thus, the reference clearly *teaches away* from a modification in which the front cover 21 could be freed from the housing 4. For this reason, Seto et al. cannot be modified in the manner set forth in the present claims.

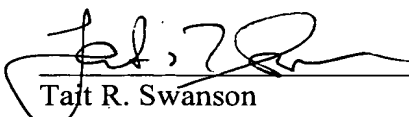
In view of the omitted claim features and the clear teaching away, the Seto et al. reference does not support a *prima facie* case of obviousness of the foregoing claims. For these reasons and based on the previous Examiner Interview, the Applicants respectfully request that the Examiner withdraw the rejections of claims 13-30 under 35 U.S.C. §103.

**Conclusion**

In view of the remarks set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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